

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PARRISH, Chairman.

Committee Room,

Austin, Texas, March 28, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 460, A bill to be entitled "An Act regulating the graduate work of, and the conferring of degrees by certain State Educational Institutions; providing the means and manner thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

FIFTY-SECOND DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

Tuesday, March 31, 1931.

The Senate met at 10 o'clock a. m. pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senator Excused.

On motion of Senator Patton, Senator Pollard, was excused for the day on account of important business.

Bill Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 103.

Messages from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House, with the following message:

Hall of the House of Representatives,
Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 367. The following are conferees on the part of the House:

Sanders, Ford, Murphy, Justiss, Ramsey.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

Simple Resolution, Requesting the Senate to return H. B. No. 678 to the House for correction.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolution.

Whereas, H. B. No. 678 was sent to the Senate several days ago, and Whereas, there is an error in the bill, now, therefore, be it

Resolved, That the Senate return H. B. No. 678 to the House for correction.

LEMENS.

March 31, 1931, read an adopted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 54. The following are conferees on the part of the House:

Burns of Walker, Graves, Davis, Anderson, Farrar.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Free Conference Requested.

On motion of Senator Woodward, the Senate refused to concur in House amendments to S. B. No. 54,

and requested a Free Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Woodward, Purl, Small, Martin, and Hornsby.

Executive Session Set.

On motion of Senator Woodul, the Senate voted to go into executive session tomorrow morning at 11:50 o'clock.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

March 30, 1931.

To the Senate of the State of Texas:

Subject to your confirmation I have appointed Honorable Lee Wallace of Kerrville, Texas, District Judge of the 38th Judicial District of Texas, to succeed Judge L. J. Brucks, resigned.

Respectfully,
R. S. STERLING,
Governor.

Read and referred to Committee on Governor's Nominations.

March 30, 1931,

To the Senate of the Forty-second Legislature:

Subject to your confirmation, I have appointed the following as Pilot Commissioners for Sabine Pass, River and Tributaries for the next ensuing statutory term:

P. P. Butler and J. S. Edwards of Beaumont.

Stuart Martin and Dr. A. R. Autry of Port Arthur.

Arch Campbell of Orange.

Respectfully,
R. S. STERLING,
Governor.

Read and referred to Committee on Governor's Nominations.

S. J. R. No. 2.

The question recurred upon the pending amendment by Senator Rawlings to S. J. R. No. 2.

Senator Woodruff sent up the following substitute for the amendment:

Amendment to Committee Substitute for Senate Joint Resolution No. 2.

Amendment No. 14.

Amend Committee Substitute for Senate Joint Resolution No. 2, Pages

2 and 3 of the printed bill, by striking out all of Section 1 thereof, and substituting in lieu thereof the following:

"Section 1. That Section 48, of Article 3 of the Constitution of Texas be amended by adding thereto the following:

"The Legislature shall also have the power to levy taxes as provided above for the construction of a system of State highways, reimbursing outlays and assuming and/or discharging obligations made by counties and defined road districts of the State therefor."

WOODRUFF.

The substitute was read.

Senator Rawlings raised the point of order that this amendment was out of order because the amendment by Senator Rawlings adopted yesterday restricted the tax to gasoline and motor vehicle license fees instead of the general property tax provided in the original resolution, and the proposed amendment placed the tax back on general property, which nullified the previous amendment and restored the resolution to its original status in effect.

The Chair, President Pro Tem Carl Hardin, sustained the point of order.

Senator Woodul sent up the the following substitute for the pending amendment by Senator Rawlings:

Substitute for pending Rawlings amendment to S. C. S. to S. J. R. No. 2, by striking out all after line 19 and down to line 23, page 3, of the printed bill, as amended and inserting the following:

"A reasonable tax may be levied on gasoline and other motor fuels and a reasonable motor vehicle license fee assessed for the construction and maintenance of a system of State Highways and reimbursing outlay and assuming and/or discharging obligations made by counties and defined road districts therefor; provided, however, that no appropriation shall ever be made from the general revenues and no other tax of any kind or character shall ever be levied for such purposes. Provided, further, that one fourth of any revenues derived from gasoline tax shall be applied to the Public Free School Fund, and, provided further, that in no event shall the portion of motor license fees now al-

located by law to the various counties of the State be reduced."

WOODUL.

The substitute was read.

Senator Rawlings withdrew his amendment.

Senator Woodul introduced his substitute as an original amendment to the resolution.

Senator Small raised the point of order that the amendment was out of order because a similar amendment had been acted upon.

The Chair, Lieutenant Governor Witt, overruled the point of order on the ground that this amendment carried with it some new and additional material.

The amendment was adopted.

Senator Woodul sent up the following amendments:

Amend S. C. to S. J. R. No. 2, as amended, page 6, by striking out all of line 21 through and including line 22 on page 7, and inserting in lieu thereof the following:

"For the Amendment to Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for the construction of a system of State Highways, reimbursing outlays and assuming and/or discharging obligations made by counties and defined road districts of the State therefor, providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances or agencies, or other sources of power used for propelling, or as fuel for motor vehicles, and the assessing of a reasonable motor vehicle license fee; reserving one-fourth thereof to the public free school fund; expressly providing that the indebtedness so created shall never become a charge against or a lien upon, and no tax shall be levied, assessed or collected, either directly or indirectly, on any homes, farms, ranches, or other real estate, or on any other property of any kind or character, real or personal, within this State, except on gasoline or other substance or agencies, or other sources of power, used for propelling or as fuel for motor vehicles, and the assessing of a reasonable motor license fee.

"Against the Amendment to Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for the construction of a system of State Highways; reimburs-

ing outlays and assuming and/or discharging obligations made by the counties and defined road districts of the State therefor; providing for the extension of the credit of the State therefor; and authorizing the levying and collecting of taxes on the sale of gasoline or other substances or agencies or other sources of power used for propelling, or as fuel for motor vehicles, and the assessing of a reasonable motor vehicle license fee; reserving one-fourth thereof to the public free school fund; expressly providing that the indebtedness so created shall never become a charge against, or a lien upon, and no tax shall be levied, assessed or collected, either directly or indirectly, on any homes, farms, ranches, or other real estate, or on any other property of any kind or character, real or personal, within this State, except on gasoline or other substances or agencies, or other sources of power, used for propelling or as fuel for motor vehicles, and the assessing of a reasonable motor license fee."

WOODUL.

Read and adopted.

Amend S. C. S. to S. J. R. No. 2, by adding at the end of line 26 and before line 27 on page 5 of printed bill the following:

"And no commission or fee of any kind shall be paid either directly or indirectly, to any person, persons, firm or corporation in connection with the sale of such bonds."

WOODUL.

Read and adopted.

Senator Oneal sent up the following amendment:

Amend Senate Joint Resolution No. 2, as follows: Add between line 20 and 21 of page 5 of the printed bill the following:

"Provided that the Board of Regents of the University of Texas and the State Board of Education of Texas shall have an exclusive option to purchase at par and accrued interest any or all of said bonds as they are issued for the Permanent Fund of the University of Texas, and for the Permanent School Fund, respectively."

ONEAL.

The amendment was read.

Senator Greer sent up the following amendment to the amendment:

Amend the amendment by cutting out of line two the words: "State

Board of Education of Texas" and out of line six the words: "and for the permanent school fund."

GREER.

Read and adopted.

Senator Purl moved to table the amendment as amended. The motion prevailed by the following vote:

Yeas—18.

| | |
|-------------|------------|
| Berkeley. | Parr. |
| Cunningham. | Parrish. |
| DeBefry. | Purl. |
| Holbrook. | Rawlings. |
| Hopkins. | Russek. |
| Hornsby. | Small. |
| Martin. | Stevenson. |
| Moore. | Woodruff. |
| Neal. | Woodward. |

Nays—9.

| | |
|----------|-------------|
| Cousins. | Patton. |
| Gainer. | Poage. |
| Greer. | Williamson. |
| Hardin. | Woodul. |
| Oneal. | |

Absent.

| | |
|-------|-----------|
| Beck. | Thomason. |
| Loy. | |

Absent—Excused.

Pollard.

Senator Oneal sent up the following amendment:

Amend Senate Joint Resolution No. 2 as follows:

"Provided that such bonds shall be offered for public subscription and where offers for same are of equal price per \$100.00 par value of said bonds, preference in allocation and sale of same shall be given to citizens of Texas."

ONEAL.

The amendment was read.

On motion of Senator Purl the amendment was tabled.

Senator Poage sent up the following amendment:

Amend Section No. 1 Committee Substitute to Amendment 1 S. J. R. No. 2, page 3, by striking out everything after the words "The protection of the frontier" in line 19, including everything thereafter on pages three, four, five, six and seven, Section 4, line 23, page 7, of the printed substitute, and insert in lieu thereof, the following:

"The reimbursement of counties and defined road districts for outlays

heretofore made for the acquisition and construction of State highways, and improvements thereon; but no tax other than a tax on motor fuel shall ever be levied or collected for such purpose."

Sec. 2. Amend article three of the Constitution of the State of Texas so that Section 51 will hereafter read as follows:

"The Legislature shall have no power to make any grant or authorize the making of any grant of public moneys to any individual, association of individuals, municipal or other corporations whatsoever; provided, however, the Legislature may grant aid to indigent and disabled Confederate soldiers and sailors under such regulations and limitations as may be deemed by the Legislature as expedient, and to their widows in indigent circumstances under such regulations and limitations may be deemed by the Legislature as expedient; to indigent and disabled soldiers, who, under special laws of the State of Texas during the war between the States, served in organizations for the protection of the frontier against Indian raids or Mexican marauders, and to indigent and disabled soldiers of the militia who were in active service during the war between States, and to widows of such soldiers who are in indigent circumstances, and who are or may be eligible to receive aid under such regulations and limitations as may be deemed by the Legislature as expedient and also grant for the establishment and maintenance of a home for said soldiers and sailors, their wives and widows and women who aided in the Confederacy, under such regulations and limitations as may be provided for by law; provided the Legislature may provide for husband and wife to remain together in the home. There is hereby levied in addition to all other taxes heretofore permitted by the Constitution of Texas, as State ad valorem tax on property of seven (\$0.07) cents on the one hundred (\$100.00) dollars valuation for the purpose of creating a special fund for the payment of pensions for services in the Confederate army and navy, frontier organizations and the militia of the State of Texas, and for the widows of such soldiers serving in said armies, navies, organizations of militia, provided that the Legislature may reduce the tax rate herein

levied, and provided further that the provisions of this Section shall not be construed so as to prevent the grant of aid in cases of public calamity; and provide further that the provisions of this Section shall not be construed so as to prevent the grant of public moneys to counties and to defined road districts of this State, such sums as the Legislature may see fit to reimburse. Such counties and defined road district for outlays made by such counties and defined road districts in acquisition and construction of State Highways; and provide further that the Legislature may by general law purchase State highways and the improvements thereon from Counties and defined road districts of this State and to make such payments in such sums at such times and on such terms for such roads as it may see fit, provided further that no such reimbursement shall ever be paid to any such county or defined road district except from funds levied from a tax on motor fuel."

Sec. 3. That the foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November A. D. 1932, at which all ballots shall have printed thereon the following:

"For the Amendment of Section 48 and 51 of Article 3 of the Constitution of the State of Texas, reimbursement of Counties and defined road districts for outlays heretofore made for the acquisition and construction of State highways and improvement thereon and authorizing the imposition of a tax on motor fuels therefor."

"Against the amendment to Sections 48 and 51 of Article 3 of the Constitution of the State of Texas, providing for the reimbursement of counties and defined road districts for outlays heretofore made for the acquisition and construction of State highways and improvement thereon and authorizing the imposition of a tax on motor fuels therefor."

Sec. 4. The Governor of this State is hereby directed to issue the necessary proclamation, ordering an election to determine whether or not the proposed Constitutional amendments, set forth herein shall be adopted and to have the same published, as required by the Constitution and laws of this State. And the sum of \$5,000.00, or so much

thereof as may be necessary, is hereby appropriated for any funds in the State Treasury, not otherwise appropriated, to defray the expenses of printing said proclamation and holding said election.

POAGE.

The amendment was read.

Senator Woodruff sent up the following substitute for the amendment:

Amend S. C. S. to S. J. R. No. 2, by striking out all of Sections 1 and 2 of the original resolution, and all amendments thereto, and substitute in lieu thereof the following:

Section 1. That section 48, or Article 3 of the Constitution of the State of Texas be amended by adding thereto the following:

"The Legislature shall also have the power to levy taxes as provided above for the construction and maintenance of a system of State highways, for reimbursing outlays and assuming and/or discharging obligations made by counties, road districts or other political subdivisions of this State for the purpose of construction highways that are or may hereafter become a part of the State system of highways."

Sec. 2. That section 49, of Article 3 of the Constitution of the State of Texas be amended by adding thereto the following:

"Debts may be created by or on behalf of the State of Texas as provided herein for the purpose of raising funds for the construction and maintenance of a system of State Highways and to supplement such funds as may be provided by the Legislature from current sources of revenue, and to reimburse outlays and assume and/or discharge obligations made by counties and defined road districts of the State therefor, in a sum not to exceed two hundred million dollars (\$200,000,000.00), not over one hundred million of which may be used for the purpose of reimbursing counties or political subdivisions or districts authorized by law to construct and/or maintain highways, which may heretofore have constructed highways which are now a part of the State Highway system, which shall be paid and refunded in the manner provided by the Legislature. The Legislature shall not authorize the issuance of obligations in excess of twenty million dollars (\$20,000,000.00) each year for the construction of high-

ways, but any amount may be issued for refunding purposes. No bonds authorized hereunder shall draw interest in excess of four and one-half ($4\frac{1}{2}$) per centum per annum, and the Legislature shall provide for the retirement of said obligations and generally for carrying out the provisions hereof."

WOODRUFF.

The substitute was read.

Senator Williamson moved to table the substitute.

Dr. Grace Speaks.

On motion of Senator Hornsby, the Senate extended the privileges of the floor to Dr. Sergius Grace, Vice President of the Bell Telephone Laboratories, and invited him to address the Senate.

The Chair introduced Senator Purl, who introduced Dr. Grace. Dr. Grace briefly addressed the Senate.

Simple Resolution 93.

Senator Hornsby sent up the following resolution:

The members of the Senate are respectfully reminded of the cordial invitation recently extended to them to attend the Demonstration to be put on tonight at the University Gymnasium-Auditorium by Dr. Sergius P. Grace, who is the greatest living authority on the transmission of sound. A car load of materials are set up for this demonstration.

This is the last Demonstration to be put on in the Southwest. There is no admission charge.

The hour is 8:00 o'clock p. m.

The Auditorium will be well warmed and comfortable in every way.

Every member of the Senate is respectfully requested to look over the program sent to them Monday by the Chamber of Commerce under whose auspices this demonstration is being put on, and as many of the members that can arrange to do so to be sure to attend.

HORNSBY.

Read and adopted.

Recess.

On motion of Senator Hornsby, the Senate, at 12:02 o'clock p. m. recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was

called to order by Lieutenant Governor Edgar E. Witt.

S. J. R. No. 2.

The question recurred upon the pending motion to table the substitute for the amendment to S. J. R. No. 2.

The motion to table prevailed by the following vote:

Yeas—24:

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cousins. | Patton. |
| Cunningham. | Poage. |
| DeBerry. | Purl. |
| Gainer. | Rawlings. |
| Greer. | Russek. |
| Hardin. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodul. |
| Neal. | Woodward. |

Nays—5.

| | |
|-----------|-----------|
| Holbrook. | Small. |
| Hopkins. | Woodruff. |
| Martin. | |

Absent.

Oneal.

Absent—Excused.

Pollard.

REASON FOR VOTE.

I vote yea for the reason that should the Woodruff substitute be adopted there would be no opportunity to vote on my pending amendment. I favor the Woodruff substitute, but it deals with an entirely different subject from that covered by my amendment and I desire to vote on that amendment.

POAGE.

Senator Moore moved the previous question on the pending amendment. The motion prevailed.

Senator Purl moved the previous question on the further consideration of the resolution. The motion failed to receive the proper seconding.

Senator Purl raised the point of order that the pending amendment was not germane because the original resolution authorized the issuance of bonds and this amendment forbade their issuance.

The Chair overruled the point of order.

The amendment was lost by the following vote:

Yeas—10.

| | |
|-------------|-----------|
| Cunningham. | Parrish. |
| DeBerry. | Poage. |
| Hopkins. | Rawlings. |
| Hornsby. | Small. |
| Martin. | Woodruff. |

Nays—19.

| | |
|-----------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Patton. |
| Gainer. | Purl. |
| Greer. | Russek. |
| Hardin. | Stevenson. |
| Holbrook. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodul. |
| Neal. | |

Absent.

Woodward.

Absent—Excused.

Pollard.

Senator Martin sent up the following amendment:

Amend amendment No. 15 by adding on page 5, line 20, after the Woodul amendment the following:

"And provided said bonds shall never be sold nor disposed of either directly or indirectly for anything other than for cash."

MARTIN.

Read and adopted.

Amend Committee Substitute for S. J. R. No. 2, Section 2, (b), page 5, line 20, by adding after the word "Texas", same being the last word in said line, the following language:

"If and when any such bond or bonds as herein mentioned shall be created by the Legislature, there shall be printed in the face of the said bond or bonds, the following language, which shall be referred to and made a part of the said bond contract, to-wit:

"If for any reason collection of this bond or any installment of interest due thereon cannot be made from a tax on gasoline or its substitute, the holder of this bond agrees that there is no legal or moral obligation upon the State of Texas to pay this said bond or any installment of interest on the same from any other source of revenue available to the State.'"

MARTIN.

The amendment was read.

Senator Williamson moved to table the amendment. The motion prevailed by the following vote:

Yeas—18.

| | |
|-----------|-------------|
| Beck. | Parr. |
| Berkeley. | Patton. |
| Cousins. | Purl. |
| Gainer. | Russek. |
| Holbrook. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Williamson. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Nays—11.

| | |
|-------------|-----------|
| Cunningham. | Parrish. |
| DeBerry. | Poage. |
| Greer. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Woodruff. |
| Martin. | |

Absent.

Hardin.

Absent—Excused.

Pollard.

Senator Martin sent up the following amendment:

Amend Committee Substitute for S. J. R. No. 2, Section 2, (b), page 5, line 20, by adding after the word "Texas", same being the last word in said line, the following language:

"Provided that bond or bonds, nor any portion thereof, shall be paid by any tax against any property, and such fact shall be stated in the face of said bond or bonds."

MARTIN.

The amendment was read.

Senator Williamson moved to table the amendment. The motion prevailed by the following vote:

Yeas—19.

| | |
|-----------|-------------|
| Beck. | Parr. |
| Berkeley. | Patton. |
| Cousins. | Purl. |
| Gainer. | Russek. |
| Holbrook. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Nays—10.

| | |
|-------------|-----------|
| Cunningham. | Parrish. |
| DeBerry. | Poage. |
| Hardin. | Rawlings. |
| Hopkins. | Small. |
| Martin. | Woodruff. |

Absent.

Greer.

Absent—Excused.

Pollard.

Senator Martin sent up the following amendment:

Amend Committee Substitute for S. J. R. No. 2, Section 2 (b), by adding after the word "out" on page 29, to read as follows:

Provided further, that the Legislature shall not make the maturity date of any of said bonds of the proposed said issues at a maturity date further than twenty years subsequent to the date of the said issue."

MARTIN.

The amendment was read.

Senator Williamson moved to table the amendment. The motion prevailed by the following vote:

Yeas—18.

| | |
|-----------|-------------|
| Beck. | Parr. |
| Berkeley. | Patton. |
| Gainer. | Purl. |
| Greer. | Russek. |
| Holbrook. | Stevenson. |
| Loy. | Thomason. |
| Moore. | Williamson. |
| Neal. | Woodul. |
| Oneal. | Woodward. |

Nays—15.

| | |
|-------------|-----------|
| Cunningham. | Parrish. |
| DeBerry. | Poage. |
| Hardin. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Woodruff. |
| Martin. | |

Absent.

Cousins.

Absent—Excused.

Pollard.

Senator Martin moved the previous question on the passage of the resolution. The motion prevailed.

The resolution was passed by the following vote:

Yeas—19.

| | |
|-----------|---------|
| Beck. | Loy. |
| Berkeley. | Moore. |
| Cousins. | Neal. |
| Gainer. | Oneal. |
| Greer. | Parr. |
| Holbrook. | Patton. |

Purl.
Russek.
Stevenson.
Thomason.

Williamson.
Woodul.
Woodward.

Nays—10.

| | |
|-------------|-----------|
| Cunningham. | Parrish. |
| Hardin. | Poage. |
| Hopkins. | Rawlings. |
| Hornsby. | Small. |
| Martin. | Woodruff. |

(Pair Recorded.)

Senator DeBerry (present) who would vote nay, Senator Pollard (absent) who would vote yea.

Motion to Adjourn.

At 4:15 o'clock p. m.. Senator Woodward moved to adjourn at 4:30 o'clock p. m. until 10 o'clock tomorrow morning. The motion prevailed.

Senate Bill No. 17.

Senator Beck moved to take up out of its regular order S. B. No. 17. The motion prevailed.

The Chair laid before the Senate the following bill:

By Senator Beck:

S. B. No. 17, A bill to be entitled "An Act making appropriations to pay the salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two year period beginning September 1, 1931, and declaring an emergency."

Read second time.

Recess.

Senator Woodward moved to reconsider the vote by which the Senate agreed to adjourn. The motion prevailed.

Senator Woodward withdrew the motion.

Senator Woodward moved to recess until 10 o'clock tomorrow morning. The motion prevailed and at 4:30 o'clock p. m. the Senate recessed.

APPENDIX.**Committee on Enrolled Bills.****Committee Room,**

Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills have had Senate Bill No. 103, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 561, A bill to be entitled "An Act to amend Art. 4680 of the Revised Civil Statutes of 1925, providing for the appointment of a Deputy Life Insurance Commissioner by the Life Insurance Commissioner and such clerks as may be required; providing that Deputy Commissioner or clerks may be removed at the will of the Commissioner; providing that the Deputy Life Insurance Commissioner shall possess all the powers and perform all the duties attached by law to the office of Life Insurance Commissioner during the necessary absence of the Commissioner or his inability to act; providing that the Commissioner shall be responsible for the acts of the Deputy Life Insurance Commissioner, and that the Deputy Life Insurance Commissioner shall take the oath required of the Life Insurance Commissioner; and providing the Life Insurance Commissioner may require such Deputy Life Insurance Commissioner or any clerk to enter into bond with securities payable to said Life Insurance Commissioner for the faithful performance of their duties."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STEVENSON, Chairman.

Committee Room,

Austin, Texas, March 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 553, A bill to be entitled "An Act prohibiting corporations, associations, and societies, and the agents, representatives, officers and directors thereof or therefor, from making certain misrepresentations and circulating false literature concerning the value, contents or provisions of certain insurance policies or certificates; prohibiting the making of any misrepresentations or is-

suance of any statements in regard to the value or contents of any policy of any company or association for the purpose of causing said policy to be forfeited, lapsed or surrendered; prohibiting causing or permitting of same to be done by such persons generally; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STEVENSON, Chairman.

Committee Room,

Austin, Texas, March 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

H. B. No. 9, A bill to be entitled "An Act defining Benefit Societies, providing a lodge system and requiring a representative form of government; prescribing the qualifications of membership therein, and granting members right to designate their own beneficiaries; and requiring maintenance of adequate reserves for payment of benefits; amending Articles 4820, 4821, 4822, 4824, and repealing Article 4833 of the Revised Statutes of Texas of 1925; and also amending Article 4831 of an Act passed by the 41st Legislature at its 2nd Called Session, entitled 'An Act to authorize the members of fraternal benefit societies to select their own beneficiaries and direct the payment of benefits,' and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STEVENSON, Chairman.

Committee Room,

Austin, Texas, March 30, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 466, A bill to be entitled "An Act to fix, equalize, and regulate the compensation and salaries of the following named officers in all counties in this State having a population of not less than 195,000 inhabitants nor more than 200,000, according to the United States cen-

sus of 1930, to-wit:—County judge; county treasurer; tax assessor; county clerk; sheriff; tax collector; district attorney; or criminal district attorney; judges of county court at law; district judges for services as members of the Juvenile board; county engineer; county commissioners; constables; justices of the peace; court stenographers; and juvenile officers; to provide minimum and maximum salaries and to direct how the same shall be paid; to regulate the selection of assistants and deputies and the salaries of same; to further define the duties of district attorneys; to prohibit commissioners courts from making ex-officio allowances; and to forbid the employment by them of outside attorneys; to require the filing of quarterly and annual reports and annual settlements; prescribing the duties of the county auditor; to repeal all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee substitute be passed in lieu thereof.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 246, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of the certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1, 1931, and ending August 31, 1933, as follows, to-wit: Abilene State Hospital; Austin State School; Austin State Hospital; Confederate Home; Confederate Woman's Home; Dallas State Hospital; Deaf, Dumb, and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphan Home; Rusk State Hospital; San Antonio State Hospital; Galveston State Psychopathic Hospital; Terrell State Hospital; State Tuberculosis Sanatorium; Wichita Falls

State Hospital; Colored Orphans Home at Gilmer; Alabama and Coushatti Indians in Polk County, Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute Bill for S. B. 246 do pass in lieu thereof and that the Substitute Bill be printed, and that the original bill be not printed.

BECK, Chairman.

Committee Room,

Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 558, A bill to be entitled "An Act authorizing the Superintendent of Public Instruction to allow and pay out of available rural aid funds a consolidation bonus to certain described independent school districts; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, March 31, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 821, A bill to be entitled "An Act ratifying and validating Buna Independent School District, ratifying and validating the proceedings of the Boards of County School Trustees of Jasper County and Orange County, respectively, in annexing territory thereto, ratifying and validating the elections held in Buna Ind. School Dist. and Gum Slough Common School District, annexing said Gum Slough Common School District to Buna Ind. School Dist., etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, March 31, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 874, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties regardless of the population of said districts; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, March 31, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 13, A bill to be entitled "An Act to encourage and aid in the conservation of soil fertility in the counties of Texas, and to maintain the productiveness of agricultural lands for the production of essential foods and commercial crops upon which the public well-being depends," etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

CUNNINGHAM, Chairman.

FIFTY-SECOND DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 1, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 17.

The question recurred on S. B. No. 17 (judiciary appropriations).

The bill was passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 17 was put on its third reading and final passage, by the following vote:

Yeas—31.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cousins. | Patton. |
| Cunningham. | Poage. |
| DeBerry. | Pollard. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Martin. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

Read third time and finally passed by the following vote:

Yeas—31.

| | |
|-------------|-------------|
| Beck. | Parr. |
| Berkeley. | Parrish. |
| Cousins. | Patton. |
| Cunningham. | Poage. |
| DeBerry. | Pollard. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Russek. |
| Holbrook. | Small. |
| Hopkins. | Stevenson. |
| Hornsby. | Thomason. |
| Loy. | Williamson. |
| Martin. | Woodruff. |
| Moore. | Woodul. |
| Neal. | Woodward. |
| Oneal. | |

S. J. R. No. 26.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Holbrook:

S. J. R. No. 26, Proposing an amendment to the State Constitution providing that the Permanent University Fund shall not be invested in bonds or obligations and pledges issued by the Board of Regents of the University of Texas; providing for the submission of this amendment to a vote of the people of Texas; providing the time, means, and manner thereof; and making an appropriation for such purpose.

Read second time.